

1644

Image

Attorney's Docket No.: 13062-003001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rong-Hwa Lin et al.

Art Unit : 1644

Serial No. : 10/051,497

Examiner : Phillip Gambel

Filed : January 18, 2002

Title : MODULATORS OF P-SELECTIN GLYCOPROTEIN LIGAND 1

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated February 25, 2004, applicants elect the invention of Group II, drawn to the embodiment of claims 17-26. The election is made with traverse.

At page 2 of the Restriction Requirement, the Examiner invited applicants to distinguish between Group 1 (claims 1-16) and Group II (claims 17-26) and stated that the Groups will be rejoined if the endpoints of the methods are the same or nearly the same. Both claim 17 and claim 1 are directed to the use of a compound that binds to P-Selectin Glycoprotein Ligand-1 (PSGL-1) on the surface of a T cell and induces a signal transduction pathway that results in the death of the T cell. Claim 17 is directed a method of inducing the death of a T cell (or a natural killer cell) by contacting a cell with the compound. The method of claim 17 thus encompasses the method of claim 1, which is directed to the *in vivo* prevention or reduction of a T cell-mediated immune response by administering the compound to an individual. In light of this relatedness between Groups I and II, applicants respectfully request that the Examiner rejoin Group I and examine claims 1-16 together with the claims of Group II.

Applicants also elect the species of (1) autoimmune disease, and (2) type I diabetes. The election of species is made without traverse. Claims 1-6 and 10-26 read on the elected species.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 8, 2004
Date of Deposit

Carol Tyrrell
Signature

Carol Tyrrell
Typed or Printed Name of Person Signing Certificate

Applicant : Rong-Hwa Lin et al.
Serial No. : 10/051,497
Filed : January 18, 2002
Page : 2 of 2

Attorney's Docket No.: 13062-003001

Please apply any charges or credits to Deposit Account No. 06-1050, referencing
Attorney docket No. 13062-003001.

Respectfully submitted,

Date: March 8, 2004

Jack Brennan
Jack Brennan
Reg. No. 47,443

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291